



3621\$

PATENT  
Attorney Docket No. PRT-004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Holtzman et al.  
SERIAL NO.: 09/696,663 GROUP NO.: 3621  
FILING DATE: October 25, 2000 EXAMINER: Winter, John M.  
TITLE: Method and System for Retail Sale

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 9<sup>th</sup> day of June, 2003.

*Sarah Carletti*  
Sarah Carletti

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JUN 16 2003  
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Sir:

Submitted herewith are: Transmittal Form (1 page); Fee Transmittal (1 page);  
Petition for Extension of Time Under 37 CFR 1.136(a) (1 page); Amendment and  
Response ( 3 pages); Check in the Amount of \$410.00; and a return-receipt postcard.



# TRANSMITTAL FORM

Application Serial Number	09/696,663
Filing Date	October 25, 2000
First Named Inventor	Holtzman
Group Art Unit	3621
Examiner Name	Winter, John M.
Attorney Docket No.	PRT-004
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Check Attached<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><br><input checked="" type="checkbox"/> Amendment/Response<br><input type="checkbox"/> Preliminary<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]<br><br><input checked="" type="checkbox"/> Petition for Extension of Time<br><br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Form PTO-1449<br><input type="checkbox"/> Copies of IDS Citations<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Sequence Listing submission<br><input type="checkbox"/> Paper Copy/CD<br><input type="checkbox"/> Computer Readable Copy<br><input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application<br><br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> CD(s) for large table or computer program<br><br><input type="checkbox"/> Amendment After Allowance<br><br><input type="checkbox"/> Request for Certificate of Correction<br><input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Brief (in triplicate)<br><br><input type="checkbox"/> Status Inquiry<br><br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|---|---|---|

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## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
Ira V. Heffan  
Attorney for the Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

Date: June 9, 2003  
Reg. No. 41,059  
Tel. No.: (617) 248-7176  
Fax No.: (617) 248-7100

# **FEE TRANSMITTAL** **FY 2003**

Complete if Known

Application Serial Number	09/696,663
Filing Date	October 25, 2000
First Named Inventor	Holtzman
Group Art Unit	3621
Examiner Name	Winter, John M.
Attorney Docket No.	PRT-004

## **METHOD OF PAYMENT**

- ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other
- ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.  
☐ Required Fees (copy of this sheet enclosed).  
☒ Additional fee required under 37 CFR 1.16 and 1.17.  
☒ Overpayment Credit.
- ☐ Applicant claims small entity status.

## **FEE CALCULATION**

### **1. FILING FEE**

#### **Large Entity**

Fee (\$)	Fee Description	Fee Paid
750	Utility filing fee	
330	Design filing fee	
160	Provisional filing fee	

Number Filed	Number Extra	Rate	Amount
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Total Claims - 20 = x \$ 18.00 =

Independent Claims - 3 = x \$ 84.00 =

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL:  
SMALL ENTITY DISCOUNT:  
SUBTOTAL (1) (\$) 0.00

### **2. AMENDMENT CLAIM FEES**

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
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Total - = x \$ 18.00 =  
Indep. - = x \$ 84.00 =  
☐ First Presentation of Multiple Dep. Claim + \$280.00 0.00 =

TOTAL: (\$)  
SMALL ENTITY DISCOUNT: (\$)  
SUBTOTAL (2) (\$)

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
110	55	Extension for reply within first month	
410	205	Extension for reply within second month	410.00
930	465	Extension for reply within third month	
1450	725	Extension for reply within fourth month	
1970	985	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
130	130	Petitions to the Commissioner	
180	180	Submission of Information Disclosure Statement	
750	375	Filing a submission after final rejection (37 CFR 1.129(a))	
750	375	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	

Other fee (Specify)  
Other fee (Specify)

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SUBTOTAL (3) (\$) 410.00

SUBTOTAL (1) 0.00

SUBTOTAL (2)

SUBTOTAL (3) 410.00

TOTAL (\$) 410.00

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Direct all correspondence to:

Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110  
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## **SIGNATURE BLOCK**

Respectfully submitted,

Date: June 9, 2003  
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Tel. No.: (617) 248-7176  
Fax No.: (617) 248-7100

Ira V. Heffan  
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Testa, Hurwitz & Thibault, LLP  
High Street Tower-125 High Street  
Boston, MA 02110



17-8  
6/19/03  
PATENT

Attorney Docket No. PRT-004 (6641/9)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Holtzman, et al.  
SERIAL NO.: 09/696,663 GROUP NO.: 3621  
FILING DATE: October 25, 2000 EXAMINER: Winter, John M.  
TITLE: METHOD AND SYSTEM FOR RETAIL SALE

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Madam/Sir:

In response to the Office Action mailed January 14, 2003, in connection with the patent application identified above, Applicants respectfully submit the following Response. A Petition and the appropriate fee for a 2-month Extension of Time for Response, up to and including June 14, 2003, are submitted herewith.

In the event that any other extension or additional fees are due to have this Amendment and Response entered and considered, this is a conditional petition for such extension, and the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 20-0531.

**Claims Status**

Claims 1-17 were pending in the Application. Claims 1-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,446,049 to Janning et al. ("Janning") in view of U.S. Patent No. 6,366,220 to Elliott ("Elliott"). Claims 16-17 were rejected as unpatentable over Elliott in view of Janning.